

00- *R* -2018

Entered - 05/30/00 - sb
CL00L0323 - DIANNE C. MITCHELL


CLAIM OF: **TRACIE M. HAZELWOOD**
1870 Dresden Drive, NE, Apt. B-10
Atlanta, Georgia 30319

For damages alleged to have been sustained as a result of vehicular damage due to clogged catch basins on October 31, 1999 through November 1, 1999 at 394 7th Street, NE.

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **TRACIE M. HAZELWOOD** the sum of **\$881.81** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of vehicular damage due to clogged catch basins on October 31, 1999 through November 1, 1999 at 394 7th Street, NE. as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0323

Date: December 1, 2000

Claimant /Victim TRACIE M. HAZELWOOD

BY: (Atty)(Ins. Co.) _____

Address: 1870 Dresden Drive, NE, Apt. B-10, Atlanta, Georgia 30319

Subrogation: _____ Claim for Property damage \$ 881.81 Bodily Injury \$ _____

Date of Notice: 01/02/00 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 _____ X Ante Litem (6 Mo.) _____ X

Date of Occurrence 10/31/99- 11/01/00 Place: 394 7th Street, NE

Department Public Works Division: Sewer Operations

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant's vehicle was damaged as a result of flooding due to clogged catch basins. The investigation determined that the City had notice of a problem with the catch basins in the area prior to these events.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____

Pictures _____ Diagrams _____ Reports: Police _____ Dept Report X Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____

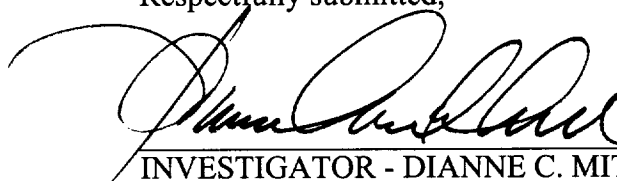
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable X

City not involved _____ Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 881.81 Adverse _____ Account charged: 1A01 X 2J01 _____ 2H01 _____

Claims Manager:  Concur/date 12-07-00

Committee Action: _____ Council Action _____

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: 5/15/00 Over 6 months

Dear Municipal Clerk:

ENTERED - 5-30-00 - SB 2nd Submission
00L0323 - DIANNE MITCHELL 1st Submission (1/25/00)

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 381.81 property and/or \$ bodily injury for which I contend the City is liable.

1. Date of incident: 10/3/99 - 11/1/99 2. Time of Incident: 3. Police called: Yes ☒ No ☐
(month/day/year)
4. Location of incident (including street address): 394 7th Street NE Atlanta, GA 30302
5. Name of your insurance company: Allstate Insurance Co Policy No. 60620-502
6. State what and how incident occurred: On 10/3/99, the drains on 7th Street were clogged & the Street flooded. That night it rained for hours & when I got up the next day my car wouldn't start & I had to call my mechanic there was also at least 4 to 5 inches of standing water on the inside. Continued on next page
7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: Plymouth Neon 1996 Tracee Hazelwood
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: (Make) (City Driver's Name) (Department/Bureau)

9. Witness: Mari Chitwood 394 7th Street NE (404) 873-1631
(Name) (Address) (Telephone Number)

10. The acknowledgment of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Tracee M Hazelwood
Signature of Claimant

Tracee M Hazelwood
(Print Claimant's Name) Apt B10

1870 Dresden Drive NE
(Address)

Atlanta, GA 30319
(City, State and Zip Code)

(7) 909-1554 (4) 325-4440
(Work Number) (Home Number)

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I talked to several neighbors & they advised me that the water was up to the windows. They also advised that it was the responsibility of the City to keep the drains clean. (Note) While living there I learned to park elsewhere because the streets flooded everytime it rained hard. Even after complaining to the City the drains were not unclogged.

I have since traded the car because I kept having problems. Different, lights kept coming on after repairs & I was advised by several mechanics that I was lucky that my mechanic was able to get car working again & that I would continue to have other issues arise because the water damage was shorting out the computer systems. And that is why I traded cars which was also an extra expenditure. Also I did not file with my insurance company.